

REMARKSI. Introduction

In response to the Office Action dated October 18, 2007, no claims have been amended or cancelled. Claims 39-58 remain in the application. Re-examination and re-consideration of the application, as amended, is requested.

II. Prior Art from Related Cases

According to MPEP §§2001.06(c), 609.02, the Examiner will consider prior art cited in earlier continuation, continuation-in-part or divisional applications, and must indicate in the first Office Action whether the prior art cited in the related earlier application has been reviewed.

The Applicant notes that this application is a continuation of one or more parent or sibling applications. Accordingly, the Applicant respectfully requests that the Examiner indicate that a review of the related cases has been undertaken and the prior art cited and arguments made in those applications has been considered.

III. The Cited References and the Subject Invention

A. The Eyer Reference

U.S. Patent No. 6,160,545, issued December 12, 2000 to Eyer et al. discloses a Multi-regional interactive program guide for television. Interactive Program Guide (IPG) data for television is delivered to integrated receiver-decoders (IRDs) in a decoder population via, for example, a satellite network. The IPG data provides scheduling information for global and local programming services which are carried via the satellite network as well as another network such as a CATV network or a terrestrial broadcast network. Each IRD is assigned to an IPG region using unit addressing. At the IRD, IPG data is filtered so that only the global data and the region-specific data for the IRD's IPG region is retained and processed by the IRD. Channel map data is also delivered to the IRDs so that bundles of IRD data can be filtered out using firmware filtering to discard program sources that are not present in the channel map. The IRD data which is retained after filtering is used to provide scheduling information via an on-screen display. A preferred source may be designated when there are duplicative channels on the different networks.

B. The Marko Reference

U.S. Patent No. 6,347,216, issued February 12, 2002 to Marko discloses a method and apparatus for communicating geographic specific services to a receiver in a satellite communications network by utilizing location identification information included in a composite signal transmitted by a terrestrial repeater. A terrestrial repeater receives from a satellite a composite signal comprising a plurality of time-division multiplexed (TDM) data channels and retransmits the composite signal with a unique transmitter identification number which indicates the identity of the repeater. Upon reception of the composite signal from the terrestrial repeater, the receiver determines the current geographical location of the receiver based on the transmitter identification number. The receiver then compares the current location of the receiver to header information carried in the data channels to select information in the data channels is targeted to the geographical location of the receiver. The receiver then provides the selected information to a user of the receiver so that user may access services directed to audiences in the geographic location of the receiver.

C. The Alewine Reference

U.S. Patent No. 6,564,143, issued May 13, 2003 to Alewine discloses a method and apparatus for personalizing static and temporal location based services. A method and apparatus in a vehicle computer system for providing location based services. A path is defined along which the vehicle is to travel. Responsive to receiving a request for a location, the path is used as a filter to identify the location. The position and/or directions of the vehicle also may be used to identify the location.

IV. Office Action Prior Art Rejections

In paragraph 3, the Office Action rejected claims 39-54, 57 and 58 under 35 U.S.C. §103(a) as unpatentable over: Eyer et al., U.S. Patent 6,160,545 (Eyer) in view of Marko et al., U.S. Patent 6,347,216 (Marko). The Applicant respectfully traverses these rejections.

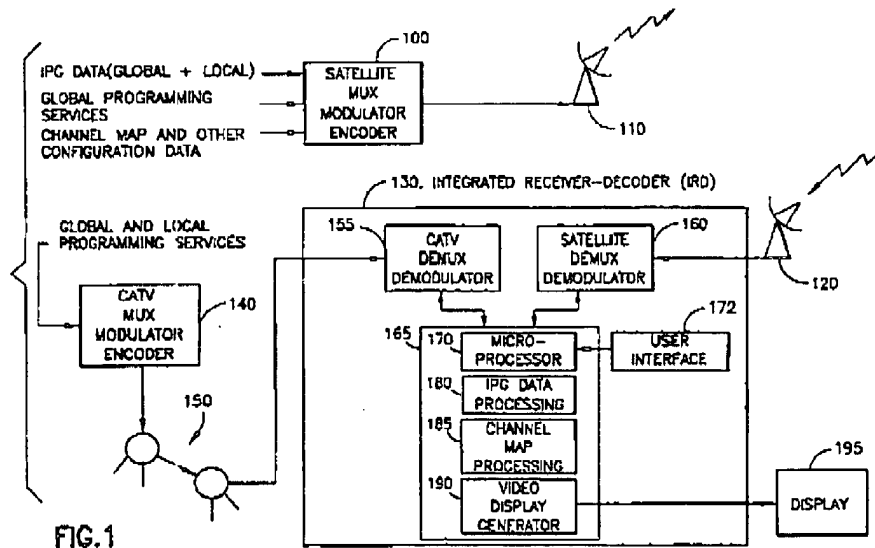
With Respect to Claim 39: Claim 39 recites:

*A terrestrial repeater, comprising:
a repeater receiver, disposed in one of a plurality of local broadcast regions within a national broadcast region, the repeater receiver for receiving a signal transmitted by a satellite including national media programs intended for reception in the national broadcast region and regional media programs;*

a processor for filtering the signal to pass only the regional media programs intended for reception in the one of the plurality of local broadcast regions;

a repeater transmitter, communicatively coupled to the repeater receiver, for transmitting the passed regional media programs intended for reception in the one of the plurality of local broadcast regions.

According to the Office Action, item 130 of FIG 1 of Eyer can be reasonably interpreted as a "repeater" because it "transfers information from other sources." The Office Action also asserts that the "repeater" 130 described in Eyer also includes a "repeater transmitter" for transmitting passed regional programs intended for reception in one of the plurality of local broadcast regions, by virtue of item 110. FIG. 1 is reproduced below:



The Applicant respectfully traverses. While the Examiner is to give the claims the broadest reasonable interpretation, that broad interpretation must be consistent with the specification (MPEP § 2111).

Element 130 is clearly labeled as an "Integrated Receiver-Decoder" or IRD. This is a device that is analogous to the "subscriber receiver" recited in the Applicant's disclosure. The Applicant's specification describes repeaters as follows:

The repeaters 120 receive broadcast signals from the satellite 108, and retransmit the media programs in the broadcast signals to subscriber receivers 110A and 110B. Typically, the repeaters 120 are especially useful in mobile applications, since they can re-transmit the signals received from the broadcast satellites at different angles frequencies and with different modulation techniques that are complementary to the satellite delivery path. (Specification, page 5, lines 7-12)

Clearly, element 130 of the Eyer reference cannot be reasonably interpreted to be a repeater. It has no use in mobile applications, and does not re-transmit signals received from broadcast angles at different angles or frequencies and with different modulation techniques that are complementary to the satellite delivery path.

The Office Action suggests that the "repeater transmitter" recited in claim 39 is met by the element 110 of the Eyer disclosure. However, this is an uplink antenna that transmits information to antenna 120 via a satellite (unpictured). It transmits information *to* the IRD, not from it. Therefore, it cannot be analogous to the "repeater transmitter" recited in claim 39.

The secondary reference is also unavailing. Marko discloses a terrestrial repeater, but that repeater forwards all of the information that is received to the receivers. The receivers use current location and header information to determine which programs are presented to the user.

- 25 In accordance with the present invention, a method and apparatus are provided for transmitting and receiving geographic specific services in a satellite communications network by utilizing location identification information included in a composite signal transmitted by a terrestrial
30 repeater. In particular, the terrestrial repeater receives from a satellite a composite signal comprising a plurality of time-division-multiplexed (TDM) data channels and retransmits the composite signal along with a unique transmitter identification number which indicates the identity of an
35 individual repeater. Upon reception of the composite signal from the terrestrial repeater, a receiver determines the current geographical location of the receiver based on the transmitter identification number. The receiver then compares the current location of the receiver to header information of packets or frames carried within the data channels to
40 select geographically targeted information in the data channels. The receiver then provides the selected information to a user of the receiver so that the user may receive services directed to audiences in the geographic location of the
45 receiver.

Marko teaches a repeater that transmits all programs, and a subscriber receiver that filters out the geographically inappropriate programs. This teaches away from the Applicant's invention.

"A reference may be said to teach away when a person of ordinary skill, upon reading the reference, would be discouraged from following the path set out in the reference, or would be led in a direction divergent from the path that was taken by the applicant. The degree of teaching away will of course depend on the particular facts; in general, a reference's disclosure will teach away if it suggests that the line of development flowing from the reference's disclosure is unlikely to be productive of the result sought by the Applicant. *In re Gurley*, 27 F.3d 551, 553, 31 U.S.P.Q.2d 1130 (Fed. Cir. 1994).

For all of the foregoing reasons, the Applicants respectfully traverse the rejection of claim 39.

With Respect to Claim 45: Claim 45 recites:

A terrestrial repeater, comprising:
a repeater receiver, disposed in one of a plurality of local broadcast regions within a national broadcast region, the repeater receiver for receiving a signal including national media programs intended for reception in the national broadcast region and regional media programs;
a processor, communicatively coupled to the repeater receiver, for filtering the regional media programs to pass regional media programs intended for reception in the one of a plurality of local broadcast regions from the regional media programs by comparing identifiers included in the signal against a local broadcast identifier of the terrestrial repeater; and
a repeater transmitter, communicatively coupled to the repeater receiver and the processor, for transmitting the filtered regional media programs to receivers disposed in the local broadcast region.

As described above Eyer does not teach a repeater, and Marko teaches a repeater that does not filter programs on any basis (filtering is done by the receiver). Accordingly, the Eyer/Marko combination does not teach the Applicant's invention, and in fact, teaches away from it. Accordingly, the Applicant respectfully traverses the rejection of claim 45.

With Respect to Claim 47 and 52: Claims 47 and 52 recite (respectively):

A terrestrial repeater, comprising:
a repeater receiver, disposed in one of a plurality of local broadcast regions within a national broadcast region, the repeater receiver for receiving a signal including national media programs intended for reception in the national broadcast region, and regional media programs; and
a repeater transmitter, communicatively coupled to the repeater receiver, for transmitting only regional media programs intended for reception in the local broadcast region.

A system for integrating presentation of national media programs and regional media programs transmitted by regional media providers, comprising:

a satellite transmitter, for transmitting a first signal including a plurality of national media programs and regional media programs; and
a terrestrial repeater, disposed in one of a plurality of local broadcast regions within a national broadcast region, the terrestrial repeater for receiving the first signal and transmitting a second signal having the plurality of national media programs and only the regional media programs intended for reception in the local broadcast region.

Claims 47 and 52 recites a repeater that transmits only regional media programs intended for reception in the local broadcast region. As described above, the Eyer/Marko combination teaches a system in which the repeater repeats all programs, thus teaching away from the Applicant's invention. Accordingly, claims 47 and 52 are allowable.

In paragraph 5, the Office Action rejects claims 55 and 56 under 35 U.S.C. §103(a) as unpatentable over Eyer, Marko and Alewine et al., U.S. Patent 6,564,143 (Alewine). Applicant respectfully traverses these rejections. Claims 55 and 56 depend on claims 52 and 54, and are patentable for the same reasons.

V. Dependent Claims

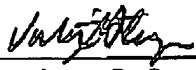
Dependent claims 40-44, 46, 48-51, and 53-58 incorporate the limitations of their related independent claims, and are therefore patentable on this basis. In addition, these claims recite novel elements even more remote from the cited references. Accordingly, the Applicants respectfully request that these claims be allowed as well.

VI. Conclusion

In view of the above, it is submitted that this application is now in good order for allowance and such allowance is respectfully solicited. Should the Examiner believe minor matters still remain that can be resolved in a telephone interview, the Examiner is urged to call Applicant's undersigned attorney.

Respectfully submitted,

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